

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

In re: )  
Jacqueline C. Hylton, )  
Debtor, )  
CHRISTOPHER LEE PROSSER, )  
Appellant, )  
v. )  
JACQUELINE C. HYLTON, )  
Appellee. )

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No. 4:17CV2773JCH

## **MEMORANDUM AND ORDER**

Before the Court is Appellant's Motion for Appointment of Counsel. (ECF  
6).

There is no constitutional or statutory right to appointed counsel in a civil case. *Nelson v. Redfield Lithograph Printing*, 728 F.2d 1003, 1004 (8<sup>th</sup> Cir. 1984). In determining whether to appoint counsel, courts consider factors that include whether the appellant has presented non-frivolous allegations supporting his prayer for relief, whether the appellant will substantially benefit from the appointment of counsel, whether there is a need to further investigate and present the facts related to the appellant's allegations, and whether the factual and legal issues presented by

the action are complex. *See Battle v. Armontrout*, 902 F.2d 701, 702 (8<sup>th</sup> Cir. 1990); *Johnson v. Williams*, 788 F.2d 1319, 1322-23 (8<sup>th</sup> Cir. 1986); *Nelson*, 728 F.2d at 1005.

After considering Appellant's Motion for Appointment of Counsel in view of the relevant factors, the Court finds that the facts and legal issues presented in the instant case are not so complex as to warrant the appointment of counsel. In addition, the pleadings filed by Appellant indicate that he is capable of presenting the facts and legal issues without the assistance of counsel. Appellant's Motion for Appointment of Counsel will, therefore, be denied.

Accordingly,

**IT IS HEREBY ORDERED** that Appellant's Motion for Appointment of Counsel (ECF 6) is **DENIED**.

Dated this 12th Day of December 2017.

/s/ Jean C. Hamilton  
UNITED STATES DISTRICT JUDGE